

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

Frank Furtick, Jr., Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2010-170030

Appeal From Richland County
L. Casey Manning, Post-Conviction Relief Judge
G. Thomas Cooper., Jr., Trial Judge

Unpublished Opinion No. 2012-MO-045
Submitted October 30, 2012 – Filed November 7, 2012

AFFIRMED

Deputy Chief Appellate Defender Wanda H. Carter, South
Carolina Commission on Indigent Defense, Division of
Appellate Defense, of Columbia, for Petitioner.

Attorney General Alan Wilson, Chief Deputy Attorney General
John W. McIntosh, Assistant Deputy Attorney General Salley
W. Elliott, and Assistant Attorney General Brian T. Petrano, all
of Columbia, for Respondent.

PER CURIAM: Petitioner seeks a writ of certiorari from the denial of his application for post-conviction relief (PCR).

Because there is sufficient evidence to support the PCR judge's finding that petitioner did not knowingly and intelligently waive his right to a direct appeal, we grant certiorari and proceed with a review of the direct appeal issues pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986).

Petitioner's convictions and sentences are affirmed pursuant to Rule 220(b)(1), SCACR, and the following authorities: Issue I: *Davis v. United States*, 512 U.S. 452 (1994); *Edwards v. Arizona*, 451 U.S. 477 (1981); *State v. Wannamaker*, 346 S.C. 495, 552 S.E.2d 284 (2001); Issue II: *State v. Weston*, 367 S.C. 279, 625 S.E.2d 641 (2006); *State v. Simmons*, 360 S.C. 33, 599 S.E.2d 448 (2004), *cert. denied*, 543 U.S. 1124 (2005); *State v. Bennett*, 328 S.C. 251, 493 S.E.2d 845 (1997); S.C. Code Ann. § 16-11-330(A) (2003).

AFFIRMED.

**TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ.,
concur.**